THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO.6461 of 2007

30th March 2007

Between:

Sri M.A.Nayeem, S/o.Khaja, 43 years, Business, R/o.8-1-346/10/3, Sabza Colony, Tolichowki, Hyderabad.

...PETITIONER

AND

1. The District Collector, Medak District having its office at Sanga Reddy, Medak District.

And one other.

...RESPONDENTS

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO.6461 of 2007

ORDER:

The petitioner seeks Writ of Mandamus to declare the notice dated 22.11.2006 bearing No.B/1436/2006 issued by the Mandal Revenue Officer, Thoopran Mandal to the petitioner as illegal and arbitrary and to set aside the same.

The said notice has been issued by the second respondent stating that the petitioner has been assigned an extent of 0.05 gts in Survey No.342/80 and an extent of Acs.3.11 gts of the Government land in Survey Nos.342/31 to 35 situated at Muppireddypalli Village, Thoopran Mandal, Medak District and the said land was required for public purpose. Therefore, the Government intended to resume the said land as per the conditions laid down in D-Form patta granted.

It is stated that in fact the said land is not a Government land and it was not an assigned land and the second respondent passed orders earlier in proceedings dated 28.01.1998 bearing No.B/99/98 rectifying the mistake in the revenue records by

converting the entry from “Laoni Patta” to “Patta Land”. Accordingly, the petitioner made a detailed representation dated 08.12.2006, which was received by the second respondent on 11.12.2006 but without considering the said representation, the respondents are threatening to dispossess the petitioner from the said land.

I am of the opinion that without considering the said representation and without giving reasons, the respondents cannot take any coercive steps against the petitioner. Having regard to the same, if the final orders have not already been passed, the second respondent is directed to consider the representation of the petitioner dated 08.12.2006 received by the office of the second respondent on 11.12.2006 and pass appropriate orders in accordance with law. Till the final orders are passed, the petitioner shall not be dispossessed.

The Writ Petition is accordingly disposed of. No costs.

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(V.ESWARAIAH, J)

30th March 2007
RRB